

AO 240 COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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ROBERT H. SHEMILL, CLERK
BY WJ
DEPUTY

UNITED STATES DISTRICT COURT

for the
Western District of Louisiana

United States of America)

v.)

Kelvin Joshua)

Case No: 97-10012-01USM No: 09666-035Date of Previous Judgment: July 14, 1999)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney: Carol Whitehurst

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582 (c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:☒ DENIED.

☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to any Departures)Previous Offense Level: 39Amended Offense Level: 39Criminal History Category: VCriminal History Category: VPrevious Guideline Range: 360 to LifeAmended Guideline Range: 360 to Life**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS: Defendant previously received the benefit of both a 5K1.1 motion and Rule 35. No further reduction is appropriate.

Except as provided above, all provisions of the Judgment dated July 14, 1999 shall remain in effect.

IT IS SO ORDERED.Order Date: MARCH 5, 2008



Judge's Signature

Effective Date: March 15, 2008COPY SENT ☐ different from order date)DATE: 03/06/08BY: WJTO: USPO_____
Honorable Dee D. Drell, U. S. District Judge

5